

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE – NASHVILLE DIVISION**

IN RE:	
AFFORDABLE HOME SERVICES INC	CASE NO. 17-08460-CW3-7
DEBTOR.	CHAPTER 7 JUDGE Charles M. Walker

**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: 2/21/18
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: 3/13/18, 9:00 A.M.,
COURTROOM TWO, 701 BROADWAY, NASHVILLE, TN 37203**

NOTICE OF MOTION OF TRUSTEE TO SELL PROPERTY

John C. McLemore, Trustee, has asked the court for the following:

Permission of the Court to sell property for the benefit of the bankruptcy estate in the above-styled matter.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the Court to grant the attached motion, or if you want the Court to consider your views on the motion, then on or before 2/21/18, you or your attorney must:

1. File with the Court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <https://ecf.tnmb.uscourts.gov>.**

If you need assistance with Electronic Filing, you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: U.S. Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, Tennessee (Monday – Friday, 8:00 a.m. – 4:00 p.m.).

2. **Your response must state that the deadline for filing responses is 2/21/18, the date of the scheduled hearing is 3/13/18 and the motion to which you are responding is *Motion of Trustee to Sell Property*.**
3. You must serve your response or objection by electronic service through the Electronic Filing system described above. You must also mail a copy of your response or objection to:

John C. McLemore, Trustee
2000 Richard Jones Rd. Ste. 250
Nashville, TN 37215

United States Trustee
701 Broadway, Customs House Suite 318
Nashville, TN 37203

If a timely response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at (615) 736-5584 or viewing the case on the Court's website at www.tnmb.uscourts.gov.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

This 31st day of January, 2018.

Respectfully submitted,

/s/ John C. McLemore, Trustee
John C. McLemore, Trustee
Tn. Bar No. 3430
2000 Richard Jones Rd., Ste. 250
Nashville, TN 37215
(615) 383-9495 (phone)
(615) 292-9848 (fax)
jmclemore@gmylegal.com

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MOTION OF THE TRUSTEE TO SELL PROPERTY

The Trustee, John C. McLemore, moves the Court for the entry of an order authorizing him to proceed with the sale at Bankruptcy Auction of the following property of the estate at the time and location indicated:

Property Description:

1998 Ford Econoline Van VIN 1FTRE1420WHB21616
2002 Chevrolet Box Truck 2KH VIN 1GCHK23122F113834
2005 Ford E45 VIN 1FDXE45S9SHB01477
2005 Chevrolet Box Truck CT3 VIN 1GBJG31U351231953
2017 Homestead Trailer VIN GHABE1822HN053842

Date: Thursday, March 1, 2018 at Noon

Location: 100 Auction Way, Nashville, TN

Terms of Personal Property Sale: CASH

Unless an objection and application for hearing is filed with the United States Bankruptcy Clerk, First Floor Customs House, 701 Broadway, Nashville, Tennessee 37203; and a copy served on the United States Trustee's Office, 318 Customs House, 701 Broadway, Nashville, Tennessee 37203; and upon the Trustee in accordance with the Notice of Motion of the Trustee to Sell Property, the Trustee will proceed with the sale of the herein described property.

PROPERTY IS TO BE SOLD AS IS, WHERE IS, AND FREE AND CLEAR OF ANY LIENS. ANY VALID AND PROPER LIEN WILL ATTACH TO THE PROCEEDS OF THE SALE. TRUSTEE WILL CONVEY BY VALID BANKRUPTCY TRUSTEE'S DEED, OR APPROPRIATE INSTRUMENT, THE RIGHT, TITLE AND INTEREST THAT TRUSTEE HAS THE RIGHT TO CONVEY. PROCEEDS OF THE SALE WILL BE SUBJECT TO AUCTIONEER'S FEES AND EXPENSES, AGENT'S FEES AND EXPENSES, AND TRUSTEE'S FEES AND EXPENSES, IF ANY. TRUSTEE WILL PAY EXEMPTIONS AND LIENHOLDERS AS FOLLOWS:

1st Lienholder: None

Debtor(s) Statutory Exemption: None

This sale does not include Personal Identifiable Information (PII).

It is anticipated that there is sufficient equity in the property to pay all 506(c) expenses and that this sale will result in a distribution being made to unsecured creditors.

This sale is an "arm's length" transaction. The Trustee, his employees and Bankruptcy court officials are prohibited from bidding.

AUCTIONEER'S COMMISSION

Simultaneous with the publication of this notice, the Trustee has made application to the Court for the appointment of Bill Colson Auction & Realty Co. as auctioneer for this sale. The auctioneer will be paid in accordance with Local Rule 6005-1 which provides as follows:

- (1) Ten percent (10%) of gross proceeds for real property and vehicles—including cars, trucks, trailers, all-terrain vehicles, boats, aircraft, farm machinery and implements, and earth moving equipment; or
- (2) Twenty-five percent (25%) of the first \$40,000 of gross proceeds for other personal property and fifteen percent (15%) thereafter.

No expenses will be reimbursed. Upon receipt of the auctioneer's report of sale, payment of Bill Colson Auction & Realty Co.'s commission will be paid.

If the sale includes personal property, pursuant to Local Rule 6005-1(e), the auctioneer may charge a buyers' premium of 2 1/2 % to offset credit card processing fees.

WHEREFORE, the Trustee prays that the Court enter an Order authorizing him to proceed with the sale of this property pursuant to the provisions of 11 U.S.C. § 363 free and clear of all liens with the liens that may exist attaching to the proceeds of the sale.

The Trustee further prays that the 14 day stay of the sale of this property following the entry of this order as provided for in FRBP 6004(h) be waived.

Dated this 31st day of January, 2018.

Respectfully submitted,

/s/ John C. McLemore, Trustee
John C. McLemore, Trustee
Tn. Bar No. 3430
2000 Richard Jones Rd., Ste. 250
Nashville, TN 37215
(615) 383-9495 (phone)
(615) 292-9848 (fax)
imclemore@gmylaw.com

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IN RE:	
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DEBTOR.	CHAPTER 7 JUDGE Charles M. Walker

ORDER TO SELL PROPERTY

Upon consideration of the motion of John C. McLemore, Trustee, for authority sell the following property:

1998 Ford Econoline Van VIN 1FTRE1420WHB21616
2002 Chevrolet Box Truck 2KH VIN 1GCHK23122F113834
2005 Ford E45 VIN 1FDXE45S9SHB01477
2005 Chevrolet Box Truck CT3 VIN 1GBJG31U351231953
2017 Homestead Trailer VIN GHABE1822HN053842

The Motion and Proposed Order were served on the Debtor(s), Debtor's counsel, all creditors and all parties requesting notice. Each was given twenty-one (21) days to object. No objections have been filed with the Court;

And it appearing to the Court that the sale of property will be beneficial to the bankruptcy estate;

It is hereby

ORDERED that John C. McLemore, Trustee, is authorized to sell this property pursuant to the provisions of 11 U.S.C. § 363 free and clear of all liens with the liens that may exist attaching to the proceeds of the sale.

It is further **ORDERED** that the 14 day stay of the sale of this property following the entry of this order set out in FRBP 6004(h) is hereby **WAIVED**.

It is further **ORDERED** the Trustee will file a report of sale as required by FRBP 6004(f).

This Order was signed and entered electronically as indicated at the top of this page.

APPROVED FOR ENTRY:

/s/ *John C. McLemore, Trustee*
John C. McLemore, Trustee
Tn. Bar No. 3430
2000 Richard Jones Rd., Ste. 250
Nashville, TN 37215
(615) 383-9495 (phone)
(615) 292-9848 (fax)
jmclemore@gmylaw.com

Proposed

**IN THE UNITED STATES BANKRUPTCY COURT
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CERTIFICATE OF SERVICE

I hereby certify that on the date noted below, a true and correct copy of the foregoing listed below was mailed either electronically or by U.S. mail, postage prepaid, to the U.S. Trustee, 701 Broadway, Customs House Suite 318, Nashville, TN 37203; Debtor, Affordable Home Services, Inc., c/o Eileen England, 282 Cobblestone Landing, Mt. Juliet, TN 37122; Debtor's attorney, Michelle L. Spezia, 1222 16th Ave. South, Suite 12, Nashville, TN 37212; all creditors, and all parties requesting notice, as reflected on the mailing matrix attached to the original of this pleading on file with the Clerk of this Court.

This 31st day of January, 2018.

Respectfully submitted,

/s/ John C. McLemore, Trustee
John C. McLemore, Trustee
Tn. Bar No. 3430
2000 Richard Jones Rd., Ste. 250
Nashville, TN 37215
(615) 383-9495 (phone)
(615) 292-9848 (fax)
jmclemore@gmylaw.com

Attachments:

- (1) Notice of Motion of Trustee to Sell Property
- (2) Motion of the Trustee to Sell Property
- (3) Proposed Order to Sell Property

American Express Bank, FSB
c/o Becket and Lee LLP
PO Box 3001
Malvern, PA 19355-0701

BerkleyNet
Attn: Officer Manager or Agent
PO Box 856742 Lockbox 006742
Minneapolis MN 55485-6742

Bluegreen Corp
Attn: Officer Manager or Agent
4960 Conference Way N #100
Boca Raton FL 33431-4413

Bucksnort Properties, LLC
c/o Hagar & Phillips, PLLC
207 University Ave
Lebanon TN 37087-3540

Buffaloe & Associates, PLLC
Attn: Officer Manager or Agent
44 Vantage Way, Ste 500
Nashville TN 37228-1542

Eileen Gilmore England
282 Cobblestone Landing
Mount Juliet TN 37122-7470

IRS Insolvency
Attn: Officer Manager or Agent
PO Box 7346
Philadelphia PA 19101-7346

IRS Insolvency
801 Broadway Room 285
MDP 146
Nashville TN 37203-3811

Kabbage Funding
Attn: Officer, Manager or Agent
PO Box 77081
Atlanta GA 30357-1081

Knight Capital Funding
Attn: Officer Manager or Agent
9 East Lockerman Street Ste 3A-543
Dover DE 19901-8306

Lineberry Properties, INC
Attn: Officer Manager or Agent
PO Box 1767
Mount Juliet TN 37121-1767

MICHELLE LOUVRE SPEZIA +
ROTHSCHILD & AUSBROOKS PLLC
1222 16TH AVE SOUTH
SUITE 12
NASHVILLE, TN 37212-2926

TN Executive Propeties, LLC
c/o Hagar & Phillips
207 University Ave
Lebanon TN 37087-3540

US Attorney General
US Department of Justice
950 Pennsylvania Avenue
Washington DC 20530-0009

Verizon Wireless Bankruptcy Admin
Attn: Officer Manager or Agent
500 Technology Drive #550
Saint Charles MO 63304-2225

Wilson Bank & Trust
Attn: Officer
PO Box 768
Lebanon TN 37088-0768

Wilson Co General Sessions Court Clerk
Attn: Officer Manager or Agent
115 East High Street Rm 104
Lebanon TN 37087-2317